

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
MAY 2, 2006  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:37 a.m. Mayor Pro Tempore Beto O'Rourke present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alejandro Lozano, Melina Castro, Eddie Holguin, Jr. and Steve Ortega. Absent: Mayor John Cook and Presi Ortega, Jr. The invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. FOSTER CARE MONTH**  
Ms. Dorothy Truax commented.
- 2. ELDER ABUSE PREVENTION MONTH**  
Mr. Patrick Charlie commented.
- 3. SMALL BUSINESS WEEK**  
Mr. Joe Rocha commented.
- 4. NATIONAL DAY OF PRAYER**  
Pastor Glen Weber commented.
- 5. BICYCLE MONTH IN EL PASO AND BIKE TO WORK DAY**  
Representatives Lozano and O'Rourke commented.

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

1. Ms. Elizabeth Limon and Mr. Jim Brillante commented on the Proclamation for El Paso Speech and Hearing Association.
2. Mr. Matthew Carroll commented on the "other" Fall Mansion.
3. Mr. Ray Gilbert commented on Painted Dunes.
4. Dr. Pat Monardes commented on the South El Paso rehabilitation.

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke.  
ABSENT: Representative Presi Ortega, Jr.

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\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for Regular City Council Meeting of April 25, 2006, and Special City Council Meeting Minutes of April 24, 2006.

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\*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John Cook from the Regular Council Meeting of May 2, 2006.

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\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Presi Ortega, Jr. from the Regular Council Meeting of May 2, 2006.

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**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

**R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the following Investor Owned Housing Rehabilitation application and funding request be approved pursuant to the terms set forth in the El Paso Housing Programs Handbook, Chapter Five (Investor Owned Properties), as provided for below and as additionally recommended by the Director of the Community and Human Development Department:

Application No.: H06-03-IO/CD/RG/MP-0328

Loan:	\$ 720,000.00
Forgivable Loan	<u>\$ 180,000.00</u>
Total	<u>\$ 900,000.00</u>
Address: 6968 Alameda (79915)	
Interest at zero percent (0%)	

2. That the City Manager be authorized to sign a Community Development Investor-Owned Financial Terms Contract between the City and owner Prentice Loftin a/k/a Jessie Prentice Loftin, Jr., a Builder's and Mechanic's Lien Contract Deed of Trust (With Power of Sale) between the City, Medsons Construction Ltd. Co. and Prentice Loftin a/k/a Jessie Prentice Loftin, Jr., and any other related documents and/or revisions thereto or necessitated thereby and complete any related funding account transfers, all such documents relating to Community Development Rehabilitation Loan Application No. H06-03-IO/CD/RG/MP-0328. (Funding is available in Accounts: 09756-09757-71150036/ G7103HM-G7104HM-505204 (\$900,000.00))

Mayor Pro Tempore O'Rourke and Representatives Lozano, Byrd, and Steve Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Nathalie Prise, Community and Human Development, presented a PowerPoint presentation (on file in the City Clerk's office).

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Representative Lozano, seconded by Representative Byrd, and unanimously carried to **APPROVE** the above Resolution.

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Presi Ortega, Jr.

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Contract of Sale by and between the **CITY OF EL PASO ("Buyer")** and **MANUEL ACOSTA and MARTHA ACOSTA ("Sellers")** and any other documentation necessary to consummate the acquisition of the following described legal property:

A parcel of land containing 7,095 square feet, more or less, described as the North one-half of Tract 107, North Valumbrosa, Unit Two, City of El Paso, El Paso County, Texas

in the amount of TWENTY-ONE THOUSAND AND NO/100THS (\$21,000.00) to be used for the Roseway Street and Drainage Improvement Project.

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Contract of Sale by and between the **CITY OF EL PASO ("Buyer")** and **ANTONIO RAMIREZ and MARGARITA P. RAMIREZ ("Sellers")** and any other documentation necessary to consummate the acquisition of the following described legal property:

A parcel of land containing 7,095 square feet, more or less, described as the South one-half (1/2) of Tract 107, North Valumbrosa, Unit Two, a subdivision in the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 14, Page 39 of the Real Property records of El Paso, El Paso County, Texas.

in the amount of TWENTY-THREE THOUSAND NINE HUNDRED EIGHTY-EIGHT AND NO/100THS (\$23,988.00) to be used for the Roseway Street and Drainage Improvement Project.

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Second Amendment to an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **ECM INTERNATIONAL, INC.**, for a project known as "**Golf Course at EPIA**", in an amount not to exceed ONE HUNDRED THOUSAND ONE HUNDRED SEVENTY-THREE and 47/100 DOLLARS (\$100,173.47).

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

**R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a First Amendment to the Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the University of Texas at El Paso ("UTEP"), executed on September 27, 2005, to revise the scope of work and to increase the total compensation for completion of the project.

Representative Holguin commented.

Mr. Roy Gilyard, El Paso Metropolitan Planning Organization, commented.

## **2<sup>ND</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **APPROVE** the above Resolution.

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke

NAYS: None

ABSENT: Representative Presi Ortega, Jr.

## **\*R E S O L U T I O N**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce that focuses the President's efforts to preserve our national heritage, support the economic vitality of our communities, and increase local participation in preserving the country's irreplaceable cultural and natural heritage assets; and

**WHEREAS**, the City of El Paso received designation as a *Preserve America Community* in March of 2006, in recognition of its multiple historic resources and designated historical sites that encourage people to experience and appreciate local historic resources through education and heritage tourism; and

**WHEREAS**, Cities with this designation are eligible to apply for planning grants designed to support a variety of activities related to heritage tourism and innovative approaches to the use of historic properties, events and venues as educational and economic assets; and

**WHEREAS**, the Museums and Cultural Affairs Department, working in collaboration with the El Paso Empowerment Zone, El Paso County Historical Commission, and the El Paso Community Foundation, desires to submit a Preserve America Planning Grant application for a Camino Real Heritage Tourism Plan for El Paso in order to create a blueprint for a coordinated system of signage, walking trails, interpretive guides, events, and venues linking the area's 14 historic districts, downtown museums, Missions, Native American archeological sites and properties of national significance by emphasizing their location along the historic Camino Real del Tierra Adentro; and

**WHEREAS**, the Museums and Cultural Affairs Department is requesting \$50,350 in Preserve America grant funds and these funds will not be used to replace available funding from any other source for the purposes stated in the grant application.

### **NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Paso, Texas:**

1. That the City Manager be authorized to sign a Preserve America grant application and related documents on behalf of the City of El Paso's Museums and Cultural Affairs Department; and
2. That El Paso is committed to protecting and celebrating its heritage assets for economic development and community revitalization, and in encouraging people to experience and appreciate local heritage resources through education and heritage tourism opportunities.

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**\*R E S O L U T I O N**  
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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a First Amendment to an Agreement for Architectural Services by and between the CITY OF EL PASO and Lucero Melendez Architects., for a project known as "Chelsea and Hawkins Pool Improvements", in an amount not to exceed THREE THOUSAND EIGHT HUNDRED FIFTY and 00/100 DOLLARS (\$3,850.00).

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**\*R E S O L U T I O N**  
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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the City Manager of the City of El Paso (the "**City**") is hereby authorized to sign a memorandum of understanding and facilities use agreement by and between the City and the Housing Finance Corporation (the "**HFC**") whereby the City agrees to provide the use of certain City facilities and services to the HFC, including the employment of an individual to perform said services.

Motion made by Representative Steve Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Richard Schechter to speak.

Representatives Byrd and Castro commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Schechter, citizen, commented.

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\*Motion made, seconded, and unanimously carried to **DELETE** request City Council approve a resolution authorizing the City Manager to sign an amendment to the Agreement between the City of El Paso and the El Paso Zoological Society to provide for City reimbursement of financial consideration provided by the Zoological Society for an individual hired by the Society for certain marketing-type functions.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Andre Ewing to the Ethics Review Commission by Representative Melina Castro, District 4.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Philipp G. Dieter, III, to Building Board of Appeals, General Commercial Contractor category, by Representative Steve Ortega, District 7.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Selena N. Solis to the Art Museum Advisory Board by Representative Susie Byrd, District 2.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Federico (Fred) Perez to the Building and Standards Commission by Representative Melina Castro, District 4.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Rodney Jackson to the History Museum Board by Representative Melina Castro, District 4.  
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\*Motion made, seconded, and unanimously carried to **APPOINT** Joe E. Tarin to the Airport Board by Representative Presi Ortega, Jr., District 5.  
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\*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**:

- A. Tom Growney Equipment, Inc., in the amount of \$4,863.15 overpayment of 2004 taxes. (PID #1999-999-1142-0042).
- B. Tom Growney Equipment, Inc., in the amount of \$3,486.44 overpayment of 2003 taxes. (PID #1999-999-1142-0042).
- C. Applied Industrial Technologies in the amount of \$9,396.43 overpayment of 2005 taxes. (PID #2001-999-0915-0042).
- D. Wachovia Bank in the amount of \$103,041.78 overpayment of 2005 taxes. (PID #C115-999-0000-0010).
- E. LSI Tax Service in the amount of \$2,766.17 overpayment of 2005 taxes. (PID #C340-999-0530-2300).
- F. Washington Mutual in the amount of \$12,305.07 overpayment of 2005 taxes. (F609-999-0160-0600).
- G. Chase Home Finance in the amount of \$3,165.54 overpayment of 2005 taxes. (PID #H801-999-0090-0900).
- H. Land America in the amount of \$2,809.55 overpayment of 2005 taxes. (PID #H453-999-0090-1302).
- I. Prudential Asset Resources in the amount of \$10,722.48 overpayment of 2005 taxes. (PID #M347-999-0020-0100).
- J. Irwin Mortgage Corp. in the amount of \$3,240.32 overpayment of 2004 taxes. (PID #P654-999-1110-0300).
- K. Johasca, Ltd. in the amount of \$5,806.04 overpayment of 2005 taxes. (PID #R273-999-0010-1300).
- L. Government Employees Credit Union of El Paso in the amount of \$2,535.99 overpayment of 2005 taxes. (PID #S033-999-0110-0900).
- M. Select PortfolioServicing, Inc., in the amount of \$49,434.75 overpayment of 2002, 2003, & 2004 taxes. (PID #S171-999-0080-2900)
- N. Land America Lawyers Title in the amount of \$2,719.63 overpayment of 2005 taxes. (PID #S052-999-0010-8600).
- O. Mary Morales Lowder in the amount of \$2,682.31 overpayment of 2005 taxes. (PID #S979-999-0270-8500).
- P. Chase Home Finance in the amount of \$9,116.44 overpayment of 2005 taxes. (PID #V893-999-1050-0900).
- Q. Trans Continental Title in the amount of \$2,603.98 overpayment of 2005 taxes. (PID #V893-999-2100-3500)
- R. James P. Koehler in the amount of \$23,984.12 overpayment of 2005 taxes. (PID #V893-999-2960-0100).
- S. CTI Group in the amount of \$2,542.57 overpayment of 2005 taxes. (PID #V893-999-3570-1400).

T. Cumming Property Tax Service in the amount of \$3,932.52 overpayment of 2003 taxes. (PID #X579-999-2450-0100).

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\*Motion made, seconded, and unanimously carried to **DELETE** the request that the Director Financial Services be authorized to issue Purchase Order(s) to Clear Channel Outdoor as a sole source provider in the amount of \$93,480.00 for billboard advertising for the Human Trafficking Public Awareness Campaign. Clear Channel Outdoor is the sole provider of billboards in the size and locations required to target the appropriate audience and demographic intended by this campaign. Services provided by Clear Channel Outdoor also include design and production. This public awareness campaign is funded by Federal Grant No. 2005-VT-BX-0014, entitled El Paso Human Trafficking Taskforce Grant. Additionally, it is requested that the City Manager be authorized to sign any and all additional documents and/or agreements as necessary.

Funds for this expenditure shall be made available in the following account:

Department: Police  
Funds available in: 21150010-502116-05376-G210515  
Funding Source: Federal Policing Grant/Human Trafficking Grant  
Amount: \$93,480.00  
District(s): All  
Sole Source No: 2006-136

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\*Motion made, seconded, and unanimously carried to **APPROVE** the request that the Chief Financial Officer be authorized to exercise the City's option to extend the term of the agreement for one (1) additional year, from June 2, 2006, through June 1, 2007, pursuant to the provisions of contract 2004-146 Waste Removal and Disposal Services, with Safety-Kleen Systems Inc., El Paso, Texas.

Option No.: ONE [OF ONE]  
Amount of Award: \$28,668.84 EST/YR  
Account No: Various  
Funding Source: Various  
Department: Environmental Services

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\*Motion made, seconded, and unanimously carried to **DELETE** Best Value Procurement Solicitation No. 2006-096 Janitorial Services - Municipal Service Center/Corrals

Award to: Total Cleaning Services  
El Paso, TX  
Item(s): All  
Amount: \$49,855.44 (estimated per year)  
Department: General Services, Maintenance Division  
Funds available: 31010326-01101-502206  
Funding source: General Services, Maintenance Division Operating  
Account, Maintenance Service Contracts  
Total award: \$149,566.32 (estimated)  
District (s): 3, 4, and 7

General Services, Maintenance Division, and Financial Services, Purchasing Division recommend award as indicated, Total Cleaning Services offered the Best Value for this service.

This is a thirty-six month contract with the option to renew for one additional year. Total Cleaning Services offers 3%-10 Days, Prompt Payment Discount.

\*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2006- Solicitation No. 2006-069 Library shelving and furniture for Eastside Regional Library

Award to: Libra-Tech Corporation  
Argyle, TX  
Item(s): Group I, Shelving – Items 1 through 46  
Amount: \$144,906.50  
Department: Library  
Funds available: 31130562-508009-60003-PPW0056005YR2  
Funding source: 2000 Quality of Life Bonds  
Total award: \$144,906.50  
District (s): 5

The El Paso Public Library and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase library shelving. This award is for Group I, Library Shelving, only. Offers for Group II, Library Furniture, are under review and an award for that portion of this bid will be made at a later date.

Libra-Tech Corporation offers options to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the options are exercised within sixty (60), ninety (90), and/or one hundred eighty (180) days from the date of award of the contract. No prompt payment discount was offered.

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\*Motion made, seconded, and unanimously carried to **APPROVE** budget transfer BT2006-679 LIBRARY

This budget transfer is needed to assist the Library in purchasing computer equipment for the Main Library.

Increase	\$50,000	Estimated Revenue
Increase	\$50,000	Data Processing Equipment

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\*Motion made, seconded, and unanimously carried to **APPROVE** budget transfer BT2006-686 AIRPORT

Transfer of funds to cover the cost of electricity for Airport Cost Centers based on year to date use and current costs.

Increase	\$211,500	Estimated Revenue
Increase	\$211,500	Various Cost Centers

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano, and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance authorizing the City Manager to sign a special warranty deed and any other documents necessary to properly convey Tract 9F3, Block 2, Ascarate Grant, an addition to the City of El Paso, El Paso County, Texas, including the improvements thereon, to Centro de Salud Familiar La Fe, Inc., a Texas non-profit corporation.
- B. An Ordinance authorizing the conveyance by the City of El Paso to the Opportunity Center for the Homeless of Lots 7 and 8, (and improvements), Block 32, Franklin Heights, an Addition to the City of El Paso, being more particularly described in Volume 1877, Page 266, Deed Records of El Paso County, Texas, and authorizing the City Manager to execute a quitclaim (tax resale) deed to effectuate said conveyance.



**PUBLIC HEARING WILL BE HELD ON MAY 16, 2006, FOR ITEMS A – B**

An Ordinance changing the zoning of Lot 5, Block 1A, Ranger Rest Subdivision Unit Four, El Paso, El Paso County, Texas, from R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1110 Ranger Street. Applicant: Elva S. Torres. ZON06-00037

**PUBLIC HEARING WILL BE HELD ON MAY 23, 2006, FOR ITEMS C**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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\*Motion made, seconded, and unanimously carried to **DELETE** discussion and action on the eminent domain process, cost of acquisition, remodeling cost and future plans for the Fall mansion, "what are we, (the city) going to do with this property?"

**1<sup>ST</sup> MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and carried to **SUSPEND THE RULES OF ORDER** and allow members of the public to comment on deleted items during Call to the Public.

**2<sup>ND</sup> MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Bernie Sargent to speak.

Mayor Pro Tempore O'Rourke and Representatives Steve Ortega and Lozano commented.

The following members of the public commented:

- 1. Mr. Matt Carroll
- 2. Mr. John Karr
- 3. Mr. Bernie Sargent

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**NO ACTION WAS TAKEN** on the following item:

Discussion and action on proposed text revisions to Title 20 (Zoning) of the El Paso Municipal Code as recommended by the Building & Zoning Advisory Committee: Chapter 20.02 (General Provisions and Definitions).

Mayor Pro Tempore O'Rourke commented.

Ms. Kimberly Forsyth, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. John Karr, citizen, commented.

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ITEM:

Discussion and action regarding an appeal of the City Plan Commission decision on March 16, 2006, denying the street vacation application for Boston Avenue between Blocks 191 and 209, Alexander Addition. (SV06001)

**1<sup>ST</sup> MOTION**

Motion made by Representative Lozano, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to Mr. Robert Ayoub to speak.

## 2<sup>ND</sup> AND FINAL MOTION

Motion made by Representative Lilly, seconded by Representative Lozano, and carried to **DENY** an appeal of the City Plan Commission decision on March 16, 2006, denying the street vacation application for Boston Avenue between Blocks 191 and 209, Alexander Addition. (SV06001)

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, and Steve Ortega

NAYS: Representative O'Rourke

ABSENT: Representative Presi Ortega, Jr

Mayor Pro Tempore O'Rourke and Representatives Lilly, Steve Ortega, Byrd, and Lozano commented.

Mr. Rudy Valdez, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Robert Ayoub, citizen, commented.

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\*Motion made, seconded, and unanimously carried to **DELETE** that the Director of Financial Services is authorized to notify Globe Electric Co., Inc. that the City is terminating Contract No. 2006-088-C2 for IMSA Signal Cable pursuant to the provisions and requirements of Section C, Paragraph 18A (Termination for Convenience), of the Contract Clauses. Globe Electric Co., Inc. has notified the City that they are unable to supply the cable due to the manufacturer's refusal to honor the prices originally quoted because of the increase in the cost of copper. The termination shall be effective as of May 2, 2006.

The user Department was notified and a new solicitation will be issued.

Department: Street

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\*Motion made, seconded, and unanimously carried to **DELETE** Solicitation No. 2006-066 Ground Maintenance-City Medians.

Award to: Vendor 1: H. Repair Solutions  
El Paso, Texas  
Item(s): I and IV  
Amount: \$302,650.00 (estimated yearly)

Award to: Vendor 2: Ledesma's  
El Paso, Texas  
Item(s): II  
Amount: \$28,080.00 (estimated yearly)

Award to: Vendor 3: New Age Grass, LLC  
El Paso, Texas  
Item(s): III  
Amount: \$16,999.99 (estimated yearly)  
Total Yearly Award: \$347,729.99 (estimated yearly)

Department: Streets  
Funds available: 32010155-01101-502221  
Funding source: Operating Funds, Groundkeeping/Horticultural Contracts  
Total award: \$1,043,189.97 (estimated)  
District (s): All

Street Department and Financial Services, Purchasing Division recommends awards as indicated as these vendors are the low responsive bidders meeting the City's Best Value Criteria.

This is a thirty-six (36) month contract with no option to extend the term of this contract.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Ledesma, citizen, commented.

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Motion made by Representative Steve Ortega, seconded by Mayor Pro Tempore O'Rourke, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:37 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**EX1.** Workers' Compensation Subrogation Interest Regarding Ruben Gonzales (551.071). [City Attorney's Office, Maria Guadalupe Martinez, (915) 541-4550]

#### **ADDITION TO THE AGENDA**

**EX1.** Discussion and action regarding options related to the Insights Science Museum property and lease. (551.071 and 551.072) [City Attorney's Office, Laura Prendergast Gordon, (915) 541-4550]

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Motion made by Representative Byrd, seconded by Mayor Pro Tempore O'Rourke, and unanimously carried to **ADJOURN** the Executive Session at 8:53 a.m. and reconvene the meeting of the City Council, during which time motions were made.

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and unanimously carried that the City **SETTLE** its subrogation interest in the claim of RUBEN GONZALES, as recommended by the City Attorney, and that the City Manager and/or the City Attorney, or his designee, be authorized to execute any necessary documents to effectuate that authority.

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke

ABSENT: Representative Presi Ortega, Jr.

#### **ADDITION TO THE AGENDA**

ITEM:

Discussion and action regarding options related to the Insights Science Museum property and lease. (551.071 and 551.072)

#### **1<sup>ST</sup> MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Iris Burnham to speak.

#### **2<sup>ND</sup> MOTION**

Motion made by Representative Lozano, seconded by Representative Byrd, and unanimously carried to instruct the City Manager to continue with negotiations on this lease.

AYES: Representatives Byrd, Lilly, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke

ABSENT: Representative Presi Ortega, Jr.

Mayor Pro Tempore O'Rourke and Representatives Lozano, Byrd, and Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Mr. Ray Gilbert
2. Ms. Debbie Crinzi
3. Ms. Pat Gonzalez
4. Ms. Ginna Vandersluis
5. Ms. Ayleen Pace
6. Ms. Catherine Cmiel-Acevedo
7. Mr. Jim Vandersluis
8. Ms. Michelle Lowrance
9. Ms. Jeannette Camacho
10. Mr. John Eger
11. Mr. Sebastian Martinez
12. Ms. Iris Burnham

.....  
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lilly, and unanimously carried to  
**ADJOURN** this meeting at 11:03 a.m.

.....  
**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk